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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,892	10/13/2000	Phillip Koh-Kwe Hsu	74622-014	8983
21890	7590	05/04/2006	EXAMINER	
PROSKAUER ROSE LLP PATENT DEPARTMENT 1585 BROADWAY NEW YORK, NY 10036-8299			CHANDLER, SARA M	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/687,892	HSU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sara Chandler	3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed, US Pat. No. 6,088,717 in view of Hanson, US Pat. No. 6,505,233.

**Re Claim 1:** Reed discloses a computer system (Figs. 1,8; col. 100, lines 58-67; col. 134, line 30-col. 136, line 41) for delivering at least one financial message (email, Fig. 8; 842, Fig. 17; col. 19, lines 26-40; col. 1, lines 50-53; email notification, col. 6, lines 63-67; receipt of financial transaction, cols. 119-123, especially col. 122, lines 35-67) to a client user (2, Fig. 1) regarding financial activity (e.g., sales/price data, Figs. 23-24; payment activity, col. 95, lines 58-65; car price data, col. 115, line 2- col. 116, line 62), the computer system comprising at least one computing device comprising:  
a registration program configured to register the client user and determine

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messages to be received by the client user (Figs. 23-24; contact information, col. 1, lines 45-50; logon, col. 4, lines 45-58; storing email addresses, col. 5, lines 5-11; establish an account, col. 4, lines 54-58);

a message creation system program (Figs. 1, 8, 17; cols. 115-118, especially col. 117, lines 13-25) configured to monitor financial activity (e.g., sales/price data, Figs. 23-24; searching ads and then paging the potential buyer, col. 115, line 2-col. 118, line 35; col. 122, lines 35-67), create messages as requested by the client user regarding the activity and deliver messages (Figs. 23-24; or col. 2, lines 2-5; customer preferences, col. 4, lines 45-58; col. 5, lines 5-66), and

an intervention system program configured to allow an internal user to create, edit and maintain administrative, system name or address changes, data and instructions (e.g., col. 7, lines 54-59; provider program used to edit, col. 8, lines 65-67).

Reed fails to explicitly disclose wherein the internal user of the system is allowed to at least one of add to and edit content of a message to a client user prior to delivery.

Hanson discloses wherein the internal user of the system is allowed to at least one of add to and edit content of a message to a client user prior to delivery (abstract, col. 3, lines 33-39, col. 3, lines 45-49; col. 4, lines 19-27; col. 4, lines 66-col. 5, lines 1-3; Fig. 1; col. 6, lines 39-46, participants can update, add content, retrieve).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Read with the teachings of Hanson to provide for adding to and editing the content of a message to a client user prior to delivery. One would have been motivated, as Hanson suggests, to reduce the amount of media needed, and

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make collaboration of information more rapid and interactive (col. 4, lines 43-48).

Collaboration may involve reaching a decision, conducting a financial transaction or sharing knowledge (col. 5, lines 20-24).

**Re Claim 2:** Reed discloses wherein the registration system program includes a registration interface module configured to create a client user preference designation interface to determine the messages to be received by the client user (Figs. 23-24; or col. 2, lines 2-5; consumer editable, col. 20, lines 5-16; registering email addresses and stem lds, col. 24, lines 25-65; paging the potential buyer when preference met, col. 115, line 2-col. 116, line 62).

**Re Claim 3:** Reed discloses wherein the at least one computing device further comprising a program for providing a user message inbox for viewing a client user message (using an email program, col. 27, lines 59-67; Fig. 8; col. 6, lines 1-27; storing emails, col. 5, lines 5-40; col. J90, lines 32-67).

**Re Claim 4:** Reed discloses wherein the system is accessible by the client user from an online financial transaction forum (e.g., col. 7, lines 2-12; cols. 119-123, especially col. 122, lines 35-67; broadcasting, col. 136, lines 27-41).

**Re Claim 5:** Reed disclose wherein the at least one computing device further comprising an internal user interface system program (col. 6, lines 1-27; col. 7, lines 54-59; col. 142, lines 30-col. 144, line 33).

**Re Claim 6:** Reed discloses wherein the internal interface system program (provider program, Figs. 1,5,7,21; col. 7, lines 54-59) comprises a financial advisor interface module configured to provide:

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an advisor client user preference designation for designating client user preferences (Figs. 23-34);

an advisor preference interface for designating advisor message preferences (provider program, Figs. 1,5,7, or 21; col. 7, lines 54-59); and

an advisor message inbox for viewing client user or advisor messages (provider/email program, Figs. 1,5,7,21).

**Re Claim 7:** Reed discloses the at least one computing device further comprising a program providing a client user searching mechanism (e.g., Fig. 14; col. 32, lines 50-62; querying, col. 38, lines 4-20; col. 62, lines 1-30; col. 90, lines 32-67; searching ads and then paging the potential buyer, col. 115, line 2-col. 116, lines 62).

**Re Claim 8:** Reed discloses the at least one computing device further comprising a reporting system for generating reports (col. 15, lines 43-58; col. 29, lines 18-47; col. 31, lines 41-48; col. 90, lines 32-67; col.93, line 40-col. 94, line 44).

**Re Claim 9:** Reed discloses the at least one computing device further comprising a program for providing a user list edit interface which prevents delivery of a message to the client user (Figs. 23-34; filtering email, col. 27, lines 59-67; col. 28, lines 31-44; or col. 142, lines 30-col. 144, line 33).

**Re Claim 10:** Reed discloses the at least one computing device further comprising a program for providing a manager user message viewing interface (provider program, Figs. 1,5,7,21; col. 90, lines 32-67).

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**Re Claim 11:** Reed discloses the at least one computing device further comprising a program for providing a client service agent interface including a message viewing interface (col. 6, lines 1-27; or Fig. 8; email programs, Figs. 1,5,7,21);.

**Re Claim 12:** Reed discloses the at least one computing device further comprising a program for providing a marketing interface including a disclaimer interface (licensing rules, col. 95, lines 4-12), a message type creating interface and a message template editing interface (see, e.g., email program, Figs. 1,5,7,21; col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16).

**Re Claim 13:** Reed discloses a market feed for supplying market data (the term market is not further defined, reads on at least clothing market, sales/price data, Figs. 23-24; inputting market data about e.g., prices of automobiles and then paging the potential buyer, col. 115, line 2-col. 118, line 35).

**Re Claim 14:** Reed discloses the at least one computing device further comprising a security and authentication system program for controlling access to and within the system (e.g., col. 26, lines 18-41; Fig. 6A; col. 98, lines 9-47; col. 108, line 15- col. 113, line 64).

**Re Claim 15:** Reed discloses the at least one computing device further comprising a program for providing at least one of an on-line chat system, a video conference system and a webcasting system (e.g., col. 7, lines 2-12; many-to-many, col. 2, lines 1-41).

**Re Claim 16:** Reed discloses wherein the messages are deliverable via electronic mail, facsimile, telephone, or wireless device (e.g., col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16).

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**Re Claim 17:** Reed discloses an internal user interface system for an internal user of a financial message delivery system, the interface system comprising:

means for designating client user message preferences (searching ads and then paging the potential buyer, col. 115, line 2-col. 116, line 62);

means for viewing client user or internal user messages (Figs. 1, 8; col. 100, lines 58-67);

means for replying to client user messages (e.g., email program, Figs. 1,5,21; or col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16);

means for creating messages (email program, Figs. 1,5,7,21); and

means for searching for messages for a client user (e.g., Fig. 14; col. 32, lines 50-62; querying, col. 38, lines 4-20; col. 62, lines 1-30; col. 90, lines 32-67; searching ads and then paging the potential buyer, col. 115, line 2-col. 116, line 62).

Reed fails to explicitly disclose a means for designating internal user message preferences.

Hanson discloses a means for designating internal user message preferences (col. 6, lines 56-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Reed with the teachings of Hanson to provide a means for designating internal user message preferences. One would have been motivated, as suggested by Hanson, to provide users with a means to limit participation by unwanted users, restrict the number of users receiving messages (col. 2, lines 2-14).



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**Re Claim 18:** Reed discloses a computerized method for delivering a financial message to a client user in a financial communication system, comprising the steps of: gathering client user message preferences from the client user (Figs. 23-24; or paging the potential buyer when criteria met, col. 115, line 2-col. 116, line 62); and creating a client user message in accordance with the client user message preferences (Figs. 23-24; col. 116, lines 52-62; col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16). and

providing a user interface (col. 7, lines 54-59; email program, Figs. 1,5,7,21; or col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16, a user interface is the aspect of a computer system or program which can be perceived by the user, and the commands and mechanisms the user uses to control its operation and input data. Inherently, a user interface is present for the email, display functions, etc.)

Reed fails to explicitly disclose allowing an internal user to add a personalized note to the client user prior to delivery.

Hanson discloses allowing an internal user to add a personalized note to the client user prior to delivery ((abstract, col. 3, lines 45-49; col. 4, lines 19-27; col. 4, lines 66-col. 5, lines 1-3; Fig. 1; col. 6, lines 39-46, participants can update, add content, retrieve).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Read with the teachings of Hanson to allow an internal user to add a personalized note to the client user prior to delivery. One would have been motivated, as Hanson suggests, to reduce the amount of media needed , and make collaboration of information more rapid and interactive (col. 4, lines 43-48). Collaboration may involve

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reaching a decision, conducting a financial transaction or sharing knowledge (col. 5, lines 20-24).

**Re Claim 19:** Reed discloses wherein the step of gathering client user message preferences comprises providing a user interface for an internal user designation of the client user message preferences (Figs. 23-24; or col. 2, lines 2-5; consumer editable, col. 20, lines 5-16; registered email addresses and system ids, col. 24, lines 25-65; paging the potential buyer when preference met, col. 115, line 2-col. 116, line 6).

**Re Claim 20:** Reed discloses wherein the step of creating a client user message comprises the steps of monitoring financial activity (e.g., sales/price data, Fig. 23-24; payment activity, col. 95, lines 58-65; car price data, col. 115, line 2-col. 116, line 62) and preparing a client user message regarding the financial activity (paging the potential buyer when preference met, col. 115, line 2-col. 116, line 6; sales/price data, Figs. 23-24).

**Re Claim 21:** Reed discloses a method further comprising the step of reviewing messages prior to delivery for regulatory compliance (licensing rules, col. 95, lines 4-12; paging the potential buyer when preferences met, compliance of ad provider, col. 115, line 2-col. 116, line 6; sales/price data, Figs. 23-24).

### ***Response to Arguments***

Applicant's arguments, filed (filed 2/3/06), with respect to the rejection(s) of claim(s) 1-21 have been fully considered but are moot in view of the new ground(s) of rejection..

In response to applicant's arguments:

Prior art systems enable clients to specify the level of detail in which they would like to receive updates; and prior art systems have features that allow financial advisors (and their managers and assistants) to set their own message preferences apart from any preferences that their clients have set. Hanson states, "the dynamic content is asynchronously *dynamically updated* or dynamically retrieved *in response to an open action by any of the participants.....*"(Hanson, col. 2, lines 29-32) Thus, the response (e.g., update) that a participant (e.g. client) would be responsive the open action. Furthermore, Hanson provides for a means by which all participants (e.g., financial advisors, managers, assistants, clients) may select their own preferences, such as the detail in which they would like to receive updates. Hanson states, "Contents of the database may include demographic data, participant credit card and payment information, *participant preference information.....*"(Hanson, col. 6, lines 56-64, especially 58-60)

Prior art systems for monitoring and generating automated messages concerning financial updates also enable financial advisors (and their managers and assistants) to intervene, edit, and personalize the content of automated messages before they are sent to clients. Hanson suggests the application of the invention to financial messages on several occasions: "the external source may include news feeds or *stock quotes*" (col. 2, lines 50-57, especially 56-57; see also, col. 4, lines 49-53; col. 4, lines 65-66 thru col. 5, lines 1-3); "The term collaboration can be defined as an activity in which one or more participants or services share information or points-of-view with an intent of reaching a decision, making a choice, *conducting a financial transaction*, or sharing

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knowledge.” Hanson suggests a means by which participants can monitor and generate automated information and intervene, edit and personalize the content of messages. Hanson discusses the presence of static content and dynamic content. Participants can add, modify, update the static content. “When the participant opens the message, the electronic medium is produced by the server and includes *static and dynamic content*. The participant can *add content* to the *dynamic content*. The *dynamic content* may be asynchronously dynamically updated in the server to indicate a then current content of the electric medium, and can be accessed by other participants in the group” (Hanson, see abstract; see also, col. 3, lines 33-35 and col. 3, lines 45-49). Thus, one participant (financial advisor, manager, assistant) can make changes that can be updated prior to delivery and access by other participants (e.g., clients, other financial advisors, managers, assistants).

**Re Claim 1:** Reed discloses an intervention system program configured to allow an internal user of the system to add to and edit administrative, system name or address changes, data and instructions prior to delivery to a client (Reed, e.g. col. 7, lines 54-59; provider program used to edit, col. 8, lines 65-67). Reed however, fails to explicitly disclose adding to and editing the content of a message to a client prior to delivery. Hanson suggests an intervention system program configured to allow an internal user of the system to at least one of add to and edit content of a message to a client user prior to delivery. Hanson discusses the presence of static content and dynamic content. Participants can add, modify, update the dynamic content. “When the participant opens the message, the electronic medium is produced by the server and

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includes *static and dynamic content*. The participant can *add content* to the *dynamic content*. The *dynamic content* may be asynchronously dynamically *updated* in the server to indicate a then current content of the electric medium, and can be *accessed by other participants* in the group" (Hanson, see abstract; see also, col. 3, lines 33-35, col. 3, lines 45-49; col. 4, lines 19-27; col. 4, lines 66-col. 5, lines 1-3; Fig. 1; col. 6, lines 39-46, participants can update, add content, retrieve). Thus, an internal user(e.g., financial advisor, manager, assistant) can add to, edit, change, update etc. prior to delivery and access by the client.

**Re Claim 17:** Reed fails to explicitly disclose a means for designating internal user message preferences. Hanson discloses a means for designating internal user message preferences (col. 6, lines 56-64). Hanson states, "Contents of the database may include demographic data, participant credit card and payment information, *participant preference information.....*"(Hanson, col. 6, lines 56-64, especially 58-60)

**Re Claim 18:** Reed discloses a user interface allowing an internal user to add information (col. 7, lines 54-59; email program, Figs. 1,5,7,21; or col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16, a user interface is the aspect of a computer system or program which can be perceived by the user, and the commands and mechanisms the user uses to control its operation and input data. Inherently, a user interface is present for the email, display functions, etc.). Reed however, fails to explicitly disclose allowing an internal user to add a personalized note to the client user prior to delivery. Hanson discloses allowing an internal user to add a personalized note to the client user prior to delivery ((abstract, col. 3, lines 33-35col. 3, lines 45-49; col. 4, lines 19-27; col. 4, lines

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66-col. 5, lines 1-3; Fig. 1; col. 6, lines 39-46). A personalized note is the type of dynamic content that may be added, edited or updated by as suggested by Hanson.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hanson, US Pat. No. 6,691,153, adding to and editing messages prior to delivery;


Hanson, US Pat. No. 6,463,461, adding to and editing messages prior to delivery; and

Hanson, US Pat. No. 6,571,275, graphical user interface.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Chandler whose telephone number is 571-272-1186. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Souh can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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